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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

C.R. No. 1337 of 2007
Date of Decision : March 13, 2007

Sukhbir Singh

... Petitioner

Versus

Parmanand

.. Respondent

CORAM : Hon`ble Mr. Justice Pritam Pal.

Present : Shri Jitender Dhanda, Advocate,
for the petitioner.

PRITAM PAL , J. (Oral)

This revision petition by the plaintiff, under Article 227 of the Constitution of India, is directed against order dated 28.11.2006 passed by Civil Judge (Junior Division), Hisar, whereby an application for adducing additional evidence filed by the plaintiff, was dismissed.

Without going into the details, suffice it to say that the evidence of the plaintiff was closed by the learned trial court on 8.8.2005. Thereafter, the defendant-respondent appeared in the witness box on 24.4.2006, and denied to have entered into an agreement with the plaintiff. However, he admitted the factum of entering into the said agreement in separate proceedings, pending before the Judicial Magistrate Ist Class under

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Section 138 of the Negotiable Instruments Act, 1881 (for short, "the Act"). In these given circumstances, learned counsel for the petitioner states that the petitioner is to place on record only a certified copy of the statement of the defendant, made before the Judicial Magistrate, in the proceedings under Section 138 of the Act.

Taking an over all view of the facts and circumstances, as stated above, this revision petition is disposed of with a direction that the learned trial court shall permit the petitioner to place on record the aforesaid certified copy of the statement made by defendant-respondent, namely, Parmanand, subject to payment of costs of Rs.1,000/-.

[PRITAM PAL]
JUDGE

March 13, 2007.
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